

IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON

ELTON E. BRYAN

v.

CIVIL ACTION NO. 2:10-cv-01196

UNITED STATES OF AMERICA

MOTION FOR A SECOND EXTENSION OF TIME TO FILE RESPONSE

Comes now the United States of America, by Larry R. Ellis, Assistant United States Attorney for the Southern District of West Virginia, and moves the Court for a second extension of time to file a response to the Petition For A Writ Of Error Coram Nobis in this case.

On October 22, 2010, the United States moved for and was granted an extension of time to file its response from November 12, 2010 to December 13, 2010.

Since that time, counsel for the United States in this matter has become involved in other unavoidable work-related commitments that were unforeseen at the time of the first motion for extension of time.

WHEREFORE, the United States moves that the December 13, 2010 deadline herein imposed for its response be extended 25 days, until January 7, 2011.

Counsel for the United States has discussed these matters with counsel for the defendant and is authorized to report that the defendant has no objection to the requested extension, provided the defendant's time for response is likewise extended to a date no earlier than February 7, 2011.

Respectfully submitted,

R. BOOTH GOODWIN II
United States Attorney

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CERTIFICATE OF SERVICE

It is hereby certified that the foregoing "Motion of the United States for a Second Extension of Time to File a Response" has been electronically filed and service has been made on opposing counsel by virtue of such electronic filing this the 6th day of December, 2010, to:

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